

How to fix L.A.'s jails

Monday 10-8-12 LA Times

By **Richard Drooyan**
and **Miriam Aroni**
Krinsky

AFTER NINE months of investigating the inappropriate use of force by deputies in Los Angeles County jails, the Citizens' Commission on Jail Violence arrived at an inescapable conclusion. As the commission's report put it: "The sheriff did not pay enough attention to the jails."

The commission, which we served as general counsel and executive director, found that there has been a persistent pattern of inappropriate force used against inmates. And although concerns had been raised repeatedly, Sheriff Lee Baca did not begin to address the problem until the violence made headlines last year.

Once the commission drew these conclusions, it had to wrestle with how to proceed. Some things were obvious. Men's Central Jail is a dungeon-like facility that should be replaced. Additional cameras should be installed in the jails to deter excessive force and enhance investigation of these incidents. And efforts should be made to reduce the inmate population by expediting the release on bond of pretrial detainees charged with minor, nonviolent offenses.

But these steps, though im-

portant, won't solve the problem of excessive force in the jails.

Baca points out, accurately, that since he began to focus on reducing excessive force in the jails last fall, the number of force incidents by deputies has gone down, as have inmate assaults on deputies. But many of the measures the sheriff has taken are stopgap, and serious underlying problems remain.

One involves staffing. The Sheriff's Department still assigns new deputies to serve as jailers immediately after leaving the academy. These assignments can last years, which means that men and women who joined the department to be patrol deputies instead find themselves working as corrections officers. Not surprisingly, many of those serving in the jails would rather be elsewhere.

Another fundamental problem involves attitudes. The commission concluded from evidence, and from a report submitted to us by the deputies' union, that many of those who serve in the jails are reluctant to abandon a culture in which force has too often been a first option rather than a last resort.

The commission considered taking jail operations away from the sheriff altogether and creating a custody department. But that would not only require legislative action, it would also raise the thorny issue of how the head of such a department would be selected. He or she would either

have to be elected, which would politicize a position that requires extensive professional experience, or be appointed by the Board of Supervisors, which would lessen the accountability that a single boss can provide.

As the commission's report noted, if the board were to oversee a stand-alone custody department, its head would "be accountable to five supervisors, who need a majority vote to act and are likely to have different views on the operation of the jails." Further, simply taking custody operations away from the sheriff would not address the supervision, training, disciplinary and culture concerns the commission identified. In the end, the report recommended an entirely new approach by the Sheriff's Department to running the jails, not an entirely new county department.

In order to have meaningful and lasting reform after the spotlight on the jails recedes, the Sheriff's Department should conduct a nationwide search for a professional and experienced corrections leader to run the department's custody operations. The commission concluded that because "accountability is an absolute necessity," this person should report directly to the sheriff, while the sheriff, in turn, is accountable to the voters.

The commission's report also recommended a new approach to staffing that recognizes the differences between pa-

trol and corrections work. Deputies would be recruited to two tracks: One for those seeking careers as corrections officers, the other for deputies with a desire to patrol communities. This would not only change the culture in the jails but would also improve morale, since those serving in the jails would be there because they had chosen to be. The report recommended hiring additional civilian custody assistants to support deputies. Increasing the proportion of civilian staff would save money that could pay for additional oversight, including an independent inspector general.

Last week, Baca announced that he intends to implement the commission's 63 recommendations. This is welcome, but there will need to be independent monitoring to ensure that these commitments are met.

In testimony before the commission, Baca was asked how he should be held accountable for the problems in the jails, and he responded: "Don't elect me." While this response elicited laughter from some, we believe that the sheriff got it right; voters should not reelect him unless he can demonstrate that he has implemented lasting and meaningful reforms in the jails.

RICHARD DROOYAN is general counsel and **MIRIAM ARONI KRINSKY** is executive director of the Citizens' Commission on Jail Violence.

Board embraces jail reform plan

County supervisors take responsibility for ensuring that sheriff implements overhaul.

BY JACK LEONARD
AND ROBERT FATURECHI

Reacting to a scathing report of sheriff's deputy brutality in the Los Angeles County jails, county supervisors Tuesday embraced dozens of reforms to curb inmate abuse and said they would be responsible for ensuring that Sheriff Lee Baca carries them out.

The Board of Supervisors accepted the findings of a blue-ribbon commission that spent nine months in-

vestigating allegations of excessive force before concluding that Baca failed to heed repeated warnings over the years about abuse and other misconduct in the Sheriff's Department's jail system.

"It is our hope that this report will not be simply another one to be added to the very large bookshelves that contain scores of reports that have been issued over decades," Miriam Krinsky, the commission's executive director, told county supervisors. "The solutions that have been seen thus far have been stop gap... What is needed is a steadfast commitment and vigilance to bringing these changes about."

Supervisor Michael D. Antonovich said the Sheriff's Department needs to

rapidly execute the panel's 63 recommendations, which include hiring a new head of custody, revamping discipline for excessive force and other sweeping changes.

"Time is of the essence," Antonovich said.

Baca last week publicly agreed to carry out all of the reforms proposed by the Citizens' Commission on Jail Violence. Supervisor Mark Ridley-Thomas suggested that the board appoint a special panel to monitor the progress of the changes. He also renewed calls for an independent civilian commission to oversee the Sheriff's Department. To create such a panel could require a county charter amendment, state legislation or both.

In an interview after

Tuesday's meeting, Ridley-Thomas said a separate commission could better focus on sheriff's operations than the Board of Supervisors, which must also oversee the county's public healthcare, foster care and other important social services. In the past, he said, the board had shown more deference to the sheriff "than what's defensible in light of what we now know."

Supervisor Don Knabe, however, disagreed that creating a new commission was the best approach.

"It's our responsibility," he said. "I don't think a commission is going to relieve us of that responsibility."

Supervisor Gloria Molina praised the commission's work but said real reform would be challenging. She

expressed frustration that Baca had not disciplined senior managers over the jail scandal, particularly Under-sheriff Paul Tanaka, who the commission said helped foster a culture of abuse in the jails. Molina, who recently called on Baca to get rid of Tanaka, noted that the board has no authority to discipline sheriff's employees.

Baca said last week that his internal affairs investigators were probing the commission's findings on Tanaka but also raised questions about whether the allegations were true.

Meanwhile, Baca, who has been slammed for being out of touch on jail operations, was in Qatar for a conference on policing and terrorism. His spokesman

said the Arab nation paid for Baca, who has traveled extensively in the Middle East, to fly out Sunday night and return late Wednesday.

The spokesman, Steve Whitmore, said the sheriff has been addressing jail issues for months. Baca assigned the day-to-day operating of the department to his two assistant sheriffs and is in "constant contact with them," Whitmore said.

"The sheriff decides when it's best to go and when it's best to stay," Whitmore said. "It's not costing the taxpayers any money. It's an invaluable way to learn how other nations deal with security issues."

Jack.leonard@latimes.com
robert.faturechi@latimes.com